

STATE PLANT BOARD

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH ADMINISTRATION
BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE
DOMESTIC QUARANTINE NOTICESADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES
FROM REQUIREMENTS OF REGULATIONS SUPPLEMENTAL TO
GYPSY MOTH AND BROWN-TAIL MOTH QUARANTINE NO. 45

Pursuant to the authority conferred by the second proviso of Gypsy Moth and Brown-tail Moth Quarantine No. 45 (7 CFR 301.45), issued under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), and being satisfied from the evidence submitted that the movement of the articles listed herein will not result in the dissemination of the gypsy moth or brown-tail moth, the Chief of the Bureau of Entomology and Plant Quarantine hereby amends the administrative instructions (7 CFR 301.45a; B. E. P. Q. 386, Rev.) exempting certain articles from the requirements of the regulations supplemental to such quarantine (7 CFR 301.45-1 et seq.) to read as follows:

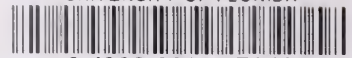
§ 301.45a Administrative instructions exempting certain articles from requirements of regulations supplemental to gypsy moth and brown-tail moth quarantine. The interstate movement of the following articles, except when they are maintained under conditions exposing them to infestation, is hereby exempted from the requirements of the regulations supplemental to the gypsy moth and brown-tail moth quarantine (7 CFR 301.45-1 et seq.):

(a) Timber Products

1. Manufactured wood products, such as box shooks, shingles, laths, flooring, furniture, containers, crates, handles, dowels, staves, and industrial blocking.
2. Lumber dressed four sides by running through a planer and ends clipped.
3. Lumber, square edged, without bark, direct from the saw.
4. Lumber, kiln dried, when waybills or other transportation papers are labeled to show that lumber was kiln dried.
5. Novelties, except those containing untreated bark.
6. Shavings, sawdust, wood flour, excelsior, excelsior waste and cedar bedding.

(b) Plants and Plant Parts

1. Seeds, fruits and cones.
2. Deciduous cuttings without leaves, or evergreen cuttings, when not more than 12 inches in length, and articles constructed of such cuttings, such as wreaths, sprays and roping.
3. All woody plants and parts thereof that have been grown in the greenhouse throughout the year and when so labeled on the outside of the container.



4. Plants:

Clubmoss (sometimes called "ground pine") (Lycopodium spp.).
 Partridgeberry (Mitchella repens).
 Trailing arbutus (Epigaea repens).
 Wintergreen (Gaultheria procumbens, Pyrola spp.).

5. Cuttings:

Acacia (Acacia spp.).
 Boxwood (Buxus sempervirens).
 California peppertree (Schinus molle).
 Eucalyptus (Eucalyptus globulus).
 Evergreen smilax (Smilax lanceolata).
 Galax (Galax aphylla).
 Heather (Erica spp., Calluna spp.).
 Mistletoe (Phoradendron flavescens, Viscum album, etc.).
 Oregon cedar (Thuja plicata).
 Oregon holly (Ilex aquifolium).
 Oregon huckleberry (Vaccinium ovatum).
 Salal (known to the trade as lemon cuttings) (Gaultheria shallon).
 Scions.

Herbarium specimens, when dried, pressed, and treated, and when so labeled on the outside of each container.

Leaves of deciduous trees that have been treated or dyed.

(c) Stone and Quarry Products

1. Freshly quarried, mined, or manufactured feldspar, granite, mica, marble, quartz and slate.

2. Stone and quarry products when processed by crushing, grinding or pulverizing.

This revision supersedes B. E. P. Q. 386, as revised effective July 19, 1948. These instructions shall become effective November 5, 1951, and shall thereafter remain in effect until further modified or revoked.

The foregoing administrative instructions add several articles to the list of those that may move interstate from the regulated areas without certification. Accordingly they relieve restrictions now in effect. Several items included in the previous list have been omitted because they are no longer being shipped, or they are not woody-stemmed plants or parts thereof and therefore are not subject to the certification requirements. In order to be of maximum benefit to shippers of these articles, the exemptions should be made available as soon as possible. Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and public procedure on the foregoing administrative instructions are unnecessary, impracticable, and contrary to the public interest, and since these instructions relieve restrictions they may properly be made effective under said section 4 less than thirty days after their publication in the Federal Register.

(Sec. 8, 37 Stat. 318; 7 U. S. C. 161; 7 CFR 301.45)

Done at Washington, D. C., this 24th day of October, 1951.

Avery S. Hoyt
 Chief, Bureau of Entomology and Plant Quarantine